

JS 44 (Rev. 06/17)



CIVIL COVER SHEET

18-cv-659
18 659

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

LISA PLAZA

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

Philadelphia

DEFENDANTS

Philadelphia City Controller
Rebecca Rhys-Jones

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

Philadelphia

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Anthony L. Cianfrani, Esquire
Cianfrani Law, LLC
215-922-1241
Suite 400, 3525 I Street
Philadelphia, PA 19134

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

☐ 1 U.S. Government Plaintiff☒ 3 Federal Question
(U.S. Government Not a Party)☐ 2 U.S. Government Defendant☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Citizen of This State

PTF DEF
☐ 1 ☐ 1

Incorporated or Principal Place of Business in This State

PTF DEF
☐ 4 ☐ 4

Citizen of Another State

☐ 2 ☐ 2

Incorporated and Principal Place of Business in Another State

☐ 5 ☐ 5

Citizen or Subject of a Foreign Country

☐ 3 ☐ 3

Foreign Nation

☐ 6 ☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

☐ 110 Insurance☐ 120 Marine☐ 130 Miller Act☐ 140 Negotiable Instrument☐ 150 Recovery of Overpayment & Enforcement of Judgment☐ 151 Medicare Act☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)☐ 153 Recovery of Overpayment of Veteran's Benefits☐ 160 Stockholders' Suits☐ 190 Other Contract☐ 195 Contract Product Liability☐ 196 Franchise

PERSONAL INJURY

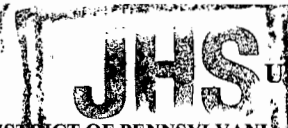
☐ 310 Airplane☐ 315 Airplane Product Liability☐ 320 Assault, Libel & Slander☐ 330 Federal Employers' Liability☐ 340 Marine☐ 345 Marine Product Liability☐ 350 Motor Vehicle☐ 355 Motor Vehicle Product Liability☐ 360 Other Personal Injury☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY

☐ 365 Personal Injury - Product Liability☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability☐ 368 Asbestos Personal Injury Product Liability☐ 370 Other Fraud☐ 371 Truth in Lending☐ 380 Other Personal Property Damage☐ 385 Property Damage Product Liability☐ 390 Other Personal Injury☐ 395 Other Personal Injury☐ 400 Other Personal Injury☐ 405 Other Personal Injury☐ 410 Other Personal Injury☐ 415 Other Personal Injury☐ 420 Other Personal Injury☐ 425 Other Personal Injury☐ 430 Other Personal Injury☐ 435 Other Personal Injury☐ 440 Other Personal Injury☐ 445 Other Personal Injury☐ 450 Other Personal Injury☐ 455 Other Personal Injury☐ 460 Other Personal Injury☐ 465 Other Personal Injury☐ 470 Other Personal Injury☐ 475 Other Personal Injury☐ 480 Other Personal Injury☐ 485 Other Personal Injury☐ 490 Other Personal Injury☐ 495 Other Personal Injury☐ 500 Other Personal Injury☐ 505 Other Personal Injury☐ 510 Other Personal Injury☐ 515 Other Personal Injury☐ 520 Other Personal Injury☐ 525 Other Personal Injury☐ 530 Other Personal Injury☐ 535 Other Personal Injury☐ 540 Other Personal Injury☐ 545 Other Personal Injury☐ 550 Other Personal Injury☐ 555 Other Personal Injury☐ 560 Other Personal Injury☐ 565 Other Personal Injury☐ 570 Other Personal Injury☐ 575 Other Personal Injury☐ 580 Other Personal Injury☐ 585 Other Personal Injury☐ 590 Other Personal Injury☐ 595 Other Personal Injury☐ 600 Other Personal Injury☐ 605 Other Personal Injury☐ 610 Other Personal Injury☐ 615 Other Personal Injury☐ 620 Other Personal Injury☐ 625 Other Personal Injury☐ 630 Other Personal Injury☐ 625 Drug Related Seizure of Property 21 USC 881
☐ 690 Other☐ 625 Drug Related Seizure of Property 21 USC 881☐ 422 Appeal 28 USC 158
☐ 423 Withdrawal 28 USC 157☐ 422 Appeal 28 USC 158☐ 375 False Claims Act
☐ 376 Qui Tam (31 USC 3729(a))☐ 375 False Claims Act

18

659



UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: Apt 304, 2375 Woodland Street Philadelphia PA 19115

Address of Defendant: Suite 1230, 1401 John F. Kennedy Blvd. Philadelphia, PA 19121

Place of Accident, Incident or Transaction: The City of Philadelphia
(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes ☐ No ☒

Does this case involve multidistrict litigation possibilities?

Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: 18-0279 Judge SLOMSKY Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes ☐ No ☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
See 18-0279 Frank Oliver, Jr
Rebecca Lynhart.
Yes ☒ No ☐
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes ☐ No ☒
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
Yes ☐ No ☒

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☒ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☐ All other Federal Question Cases
(Please specify) _____

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify) _____
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases
(Please specify) _____

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, Anthony L. Cianfrani, counsel of record do hereby certify:
☒ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
☐ Relief other than monetary damages is sought.

DATE: 2-15-18

Attorney-at-Law

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

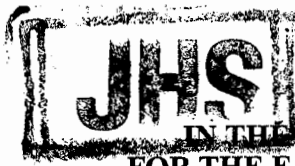
45866
Attorney I.D.#

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 2-15-18

Attorney-at-Law

45866 FEB 15 2018
Attorney I.D.#



IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CASE MANAGEMENT TRACK DESIGNATION FORM

LISA PLAZA

v.

REBECCA RYNHART

CIVIL ACTION

NO. **18 659**

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ()

2-15-18
Date

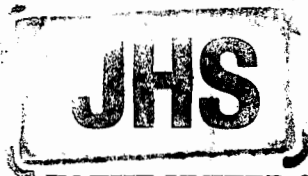
215-922-1241
Telephone

Anthony L. Cianfrani, Esq.
Attorney-at-law

215-207-9692
FAX Number

PLAINTIFF: LISA PLAZA.
Attorney for

Anthony.Cianfrani@maet.com
E-Mail Address



IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LISA PLAZA

Plaintiff

Civil Action No.:

18 659

vs.

REBECCA RHYNHART

Defendant

JURY TRIAL DEMANDED
FILED

FEB 15 2018

KATE BARKMAN, Clerk
By Dep. Clerk

CIVIL COMPLAINT

JURISDICTION

1. Jurisdiction in this matter is based upon 42 U.S.C. 1983; 28 U.S.C 1331 & 1343 & (a)(4).

PARTIES

2. Plaintiff Lisa Plaza is an adult individual residing at Apartment 304, 2375 Woodward Street, Philadelphia, Pennsylvania 19115. She is a citizen of the United States of America and a resident of the Eastern District of Pennsylvania.
3. Defendant Rebecca Rhynhart is an adult individual with a principal place of business at 1230 Municipal Services Building, 1401 John F. Kennedy Boulevard Philadelphia, Pennsylvania 19102.
4. Defendant Rebecca Rhynhart is being sued in her individual and official capacity. At all times relevant hereto, she was the elected Controller of the City of Philadelphia.
5. At all times relevant hereto, Defendant was acting under color of law, to wit: under color of the statutes, ordinances, regulations, policies, customs, and usages of the Commonwealth of Pennsylvania and the City of Philadelphia.

FACTS

6. During the period from April 25, 2001 to December 28, 2017, Plaintiff Lisa Plaza, was a salaried employee of the Office of the Philadelphia City Controller. Her final position was Assistant to the Contract Compliance Officer, which required her to prepare, review and approve documents for the Contract Compliance Officer.
7. Prior to her discharge, as described herein below, Plaintiff Lisa Plaza performed her duties in a professional and proficient manner. She received positive performance evaluations and had a good attendance record.
8. Plaintiff Lisa Plaza did not make policy for the Office of the Philadelphia City Controller.
9. In the performance of her duties as Assistant to the Contract Compliance Officer for the Office of the City Controller of the City of Philadelphia, Plaintiff Lisa Plaza did not establish a confidential relationship with the former elected City Controller. Moreover, Plaintiff Lisa Plaza was not a confidant of former City Controller, Alan Butkovitz.
10. Performance of the job duties of Assistant to the Contract Compliance Officer of the Office of the Philadelphia City Controller does not require the existence of a confidential relationship between the Contract Compliance Officer and the elected City Controller.
11. Performance of Plaintiff's job duties as Assistant to the Contract Compliance Officer of the Office of the Philadelphia City Controller did not require any particular political affiliation.

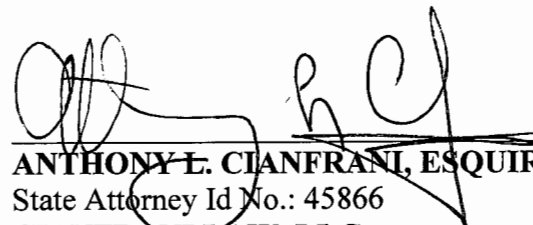
12. At all-time mentioned hereto, Plaintiff's father, Carlos Matos was the elected leader of the Philadelphia Democratic Party's 19th Ward Committee and the de-facto leader of the Philadelphia Democratic Party's 62nd Ward, Ward Committee .
13. Plaintiff's relation to, and association with, her father, Carlos Matos, did not enhance, impede or interfere with Plaintiff's performance of her duties as Assistant to the Contract Compliance Officer for the Office of the Philadelphia City Controller.
14. The Philadelphia County Democratic City Committee, including Carlos Matos, Leader of the 19th and 62nd Wards endorsed and supported Rebecca Rhynhart's opponent in May 16, 2017 Democratic Party Primary election for City Controller.
15. Carlos Matos engaged in constitutionally protected conduct when he, and the 19th and 62nd Ward Democratic Committees endorsed and supported Rebecca Rhynhart's opponent in the May 16, 2017 Democratic Party Primary election for City Controller.
16. Plaintiff Lisa Plaza Matos engaged in constitutionally protected conduct when she associated and affiliated with her father, Carlos Matos
17. Defendant Rebecca Rhynhart was the winner of the Democratic Party's May 16, 2017 Democratic Party Primary election for Controller of the City of Philadelphia.
18. Defendant Rebecca Rhynhart was the winner of the November 6, 2017, General Election for Controller of the City of Philadelphia.
19. Because Plaintiff Lisa Plaza is related to, and closely associated with her father, Ward Leader of the Democratic Party's 19th and 62nd Wards, Carlos Matos, at all times material hereto, Defendant Rebecca Rynhart treated Plaintiff's employment with the Office of the

City Controller of as being the product of Plaintiff's affiliation and association with a faction of the Philadelphia Democratic party labeled by some as "The Philadelphia Democratic Machine."

20. On or about December 13, 2017, Plaintiff received a voicemail from a person who identified herself as Heather Spangler. Ms. Spangler informed Plaintiff that she was calling on behalf of Defendant Rebecca Rhynhart and that Plaintiff was terminated from employment with the Office of the Philadelphia City Controller. Days later, Plaintiff received a letter, dated December 20, 2017 which also informed her that her employment had been terminated.
21. Plaintiff was terminated from her employment because Defendant associated and affiliated Plaintiff with the political actions, associations and affiliations of her father, Carlos Matos, and the Committees in which Carlos Matos held leadership positions.
22. Defendant Rebecca Rynhart has engaged in a practice and pattern of terminating the employment of persons closely associated with leaders or former leaders of the Philadelphia Democratic Party.
23. In carrying out her pattern of terminating the employment of persons closely associated with leaders or former leaders of the Philadelphia Democratic Party, Defendant Rhynhart terminated the employment of Frank Oliver, Jr., Lopez Jones and plaintiff herein Lisa Plaza
24. Plaintiff was terminated from her employment by Defendant because of her political affiliation and in violation of Plaintiff's constitutional rights as established by the First and Fourteenth Amendments to the United States Constitution, and 42 U.S.C. 1983.

25. The discharge of Plaintiff Lisa Plaza because of her political affiliation, was a violation of the First and Fourteenth Amendments to the United States Constitution and, therefore, a violation of 42 U.S.C § 1983.
26. The actions of the Defendant in firing Plaintiff Lisa Plaza, were intentional and undertaken in reckless disregard of her federally protected right not to have her position as Assistant to the Contract Compliance Officer conditioned upon an affiliation or disaffiliation with a faction of political party.
27. The actions of the Defendant were in conscious disregard of the constitutional rights of Plaintiff and deprived her, under color of state law, of belief and association under the First and Fourteenth Amendments to the Constitution of the United States.
28. As the direct and proximate result of the actions of the named Defendant as stated herein, Plaintiff Lisa Plaza has suffered and continues to suffer the following damages for which he seeks relief:
 - a. Loss of annual salary of \$52,700.00;
 - b. Loss of employment benefits;
 - c. Plaintiff seeks restoration of all lost salary and benefits to date;
 - d. Plaintiff seeks reinstatement to her appointed position as Assistant to the Contracts Compliance Officer for the Office of the Philadelphia City Controller;
 - e. Plaintiff seeks the costs and expenses of this litigation, and counsel fees pursuant to 42 U.S.C. 1988;
 - f. Plaintiff seeks any other relief this Honorable Court deems appropriate, given the averments contained herein;
 - g. A Jury trial is demanded.

BY:



ANTHONY L. CIANFRANI, ESQUIRE
State Attorney Id No.: 45866
CIANFRANI LAW, LLC
3525 "I" Street, Suite 404
Philadelphia, Pa 19134
(215) 922-1241 (phone)
(215) 209-9692 (fax)
anthony.cianfrani@gmail.com